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7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 RYAN WILSON,

15 Defendant.
16

Case No. 1:21-cr-00315-ADA-BAM

**[AMENDED] STIPULATION TO
CONTINUE STATUS CONFERENCE;
ORDER**

Date: July 12, 2023
Time: 1:00 p.m.
Judge: Hon. Barbara A. McAuliffe

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Assistant United States Attorney Kimberly Sanchez, counsel for plaintiff, and Assistant
19 Federal Defender Reed Grantham, counsel for Ryan Wilson, that the status conference currently
20 scheduled for April 12, 2023, at 1:00 p.m. may be continued to July 12, 2023, at 1:00 p.m.

21 The parties agree and stipulate, and request that the Court find the following. The
22 government has provided discovery in this matter. The defense remains in the process of
23 reviewing the discovery, conducting further investigation, and discussing the matter with his
24 client.

25 Specifically, the defense has made the government aware of the pending investigative
26 efforts of the defense, which include the need to visit the location of the alleged offense situated
27 in the mountains of the Sierra National Forest near Shaver Lake, California. This investigative
28 effort has been delayed since mid-December as a result of weather conditions at the location of

1 the alleged offense. Efforts to visit the site since the last stipulation submitted by the parties in
 2 February 2023 have been thwarted by continued weather events and conditions located at and
 3 near the site. Throughout this time, the parties have remained in contact and the government has
 4 been actively assisting efforts to accomplish the visit to the site. However, at present, according
 5 to the officers familiar with the location, the site is inaccessible. The parties anticipate trying
 6 again the coming 2-4 weeks, weather and conditions permitting. Accordingly, the parties request
 7 that the status conference in this matter be continued to permit this continued defense
 8 investigation, as well as for possible plea negotiations.

9 The requested continuance will conserve time and resources for the parties and the Court.
 10 Counsel for defendant believes that failure to grant the above-requested continuance would deny
 11 him the reasonable time necessary for effective preparation, taking into account the exercise of
 12 due diligence. The government does not object to the continuance.

13 Based on the above-stated findings, the ends of justice served by continuing the case as
 14 requested outweigh the interest of the public and the defendant in a trial within the original date
 15 prescribed by the Speedy Trial Act. For the purpose of computing time under the Speedy Trial
 16 Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of April 12,
 17 2023, to July 12, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A)
 18 and 3161(h)(7)(B)(i), (ii) and (iv) because it results from a continuance granted by the Court at
 19 defendant's request on the basis of the Court's finding that the ends of justice served by taking
 20 such action outweigh the best interest of the public and the defendant in a speedy trial.

21 Respectfully submitted,

22
 23 PHILLIP A. TALBERT
 United States Attorney

24 Date: April 7, 2023

/s/ Kimberly Sanchez
 25 KIMBERLY SANCHEZ
 Assistant United States Attorney
 26 Attorney for Plaintiff
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 28

HEATHER E. WILLIAMS
Federal Defender

Date: April 7, 2023

/s/ Reed Grantham
REED GRANTHAM
Assistant Federal Defender
Attorney for Defendant
RYAN WILSON

ORDER

IT IS SO ORDERED that the status conference is continued from April 12, 2023, to **July 12, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i), (ii) and (iv).

IT IS SO ORDERED.

Dated: April 7, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE